

# CITY OF SAN BRUNO



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## **STAFF**

Aaron Akin, *Interim Community Development Director*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Lisa Costa-Sanders, *Acting Planning Manager*  
Tony Rozzi, *Assistant Planner*  
Laura Russell, *Assistant Planner*  
Cathy Hidalgo, *Recording Secretary*  
Pamela Thompson, *City Attorney*

## **PLANNING**

### **COMMISSIONERS**

Rick Biasotti, *Chair*  
Bob Marshall Jr. *Vice-Chair*  
*Commissioners:*  
Mary Lou Johnson  
Sujendra Mishra  
Perry Petersen  
Kevin Chase  
Joe Sammut

## **COMMUNITY DEVELOPMENT DEPARTMENT**

### **PLANNING COMMISSION MINUTES**

**MARCH 20, 2007**

San Bruno Senior Center  
1555 Crystal Springs Blvd.  
7:00 P.M. to 10:00 P.M.

**CALL TO ORDER at 7:00 pm.**

### **ROLL CALL**

	<b><u>Present</u></b>	<b><u>Absent</u></b>
Chair Biasotti	X	
Vice Chair Marshall	X	
Commissioner Chase	X	
Commissioner Johnson	X	
Commissioner Mishra	X	
Commissioner Petersen	X	
Commissioner Sammut		X

### **STAFF PRESENT:**

Planning Division: Interim Community Development Director: Aaron Akin  
City Attorney: Pamela Thompson  
Acting Planning Manager: Lisa Costa Sanders  
Assistant Planner: Tony Rozzi  
Assistant Planner: Laura Russell  
Community Dev. Recording Secretary: Cathy Hidalgo

Pledge of Allegiance: Assistant Planner, Tony Rozzi

### **A. Approval of Minutes – February 20, 2007**

**Motion to Approve Minutes of February 20, 2007 Planning Commission meeting**

**Petersen/Chase**

VOTE: 6-0  
AYES: All Commissioners Present  
NOES: None  
ABSENT: Sammut

### **B. Communication**

E-Packets are available on line at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov)

**C. Public Comment**

None at this time.

**E. Announcement of Conflict of Interest**

Chase Item 6.

**F. Public Hearings**

**1. 2380 Rosewood Drive**

**Request for a Use Permit to allow the construction of an addition to an existing residence that increases the floor area by 74% per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance. Douglas Fong (Applicant), Gary Tom (Owner). UP-06-030**

*Acting Planning Manager Acting Planning Manager Costa-Sanders* entered staff report. Adding Conditions 15 and Conditions 16.

Staff recommends that the Planning Commission approve Use Permit 06-30 based on Findings of Fact 1-6 and subject to conditions 1-16.

*Chair Biasotti* asked Commission if there were any questions for staff.

*Commissioner Petersen:* The request is for use permit that increases the floor area by 74%, true, but the reason the permit is requested is it increases floor area by more than 50%.

*Acting Planning Manager Costa-Sanders:* Will change for future reports.

*Commissioner Chase:* 74% increase in floor area, on table it shows 55% floor area.

*Acting Planning Manager Costa-Sanders:* Correct, the proposal is within the allowed floor area.

*Commissioner Petersen:* The addition results in a increase to the floor area of greater 50%, but proposal meets all other conditions?

*Acting Planning Manager Costa-Sanders:* Replied, yes.

*Chair Biasotti* asked the applicant to address the Commission and introduce the project.

*Applicant:* Applicant introduced, Doug Fong, architect, the owners are here. Appreciated working with staff and ARC in developing this project.

*Chair Biasotti:* Questions for applicant?

*Commissioner Johnson:* Have you read and agree with the 2 new conditions?

*Applicant:* Yes. In understanding of the proposal of increasing for more than 50% and building permit issued in conformance.

*Commissioner Johnson:* Any response from neighbors

*Applicant:* The owners did, received a letter of support from neighbor on right.

Public Comment opened.

Public Comment closed.

*Chair Biasotti* opened up to Commission for discussion.

**Motion to approve Use Permit 06-30 based on Findings of Fact 1-6 and subject to conditions 1-14. Adding Condition 15 and 16.**

**Commissioner Johnson/Commissioner Petersen**

VOTE: 6-0  
AYES: All Commissioners Present  
NOES: None  
ABSENT: Sammut

**Chair Biasotti advised of a 10-day appeal period.**

Commissioner Petersen: Thanks architect for application and assisting in understanding the plans.

Owners: Thanks Staff.

**FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and with the existing two car garage, the off-street parking requirements will be met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition will be an economic benefit to the surrounding area.
6. With the existing two-car garage the project complies with the off-street parking standards of the City of San Bruno Zoning Ordinance.

**CONDITIONS OF APPROVAL**

**Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-030

shall not be valid for any purpose. Use Permit 06-030 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on March 20, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

**Fire Department – (650) 616-7096**

7. Provide minimum 4" illuminated address numbers.
8. Provide hardwired smoke detectors with battery back up to all bedroom and hallway/corridors.
9. Provide spark arrestor on chimney if present.

**Department of Public Works – (650) 616-7065**

10. Encroachment permit from Engineering Department required prior to work, San Bruno municipal code 8.16.010. Business license and proof of insurance required.
11. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
12. Paint address number on face of curb near driveway approach. Black lettering on white background.
13. Storm water from new roof down-spouts and other on-site drainage, shall be collected and drained to an underground storm water system or through and under sidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1 50% drain to landscape allowed.
14. Plant one 36-inch box size approved tree or payment of \$540.00 each in-lieu replacement tree fund. San Bruno Municipal code section 8.24.060.
15. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
16. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.

## **2. 2325 Valleywood Drive**

**Request for a Use Permit to allow the construction of an addition with a total Floor Area of 3,371 square feet (.552) which exceeds the Floor Area standard of .55 per Section 12.200.030.A.1 and exceeds 2,800 square feet with a two car garage per Section 12.96.060.D.4.c of the San Bruno Zoning Ordinance. Robert Wallace (Owner/Applicant) UP-06-042**

*Acting Planning Manager Costa Sanders* entered staff report. Adding Conditions 12 through 15.

Staff recommends that the Planning Commission approve Use Permit 06-42 based on Findings of Fact 1-6 and subject to conditions 1-11 with added conditions 12-14.

*Chair Biasotti* asked Commission if there were any questions for staff.

*Commissioner Petersen:* The .552 exceeds the floor area standard, is that the only factor that exceeded the standards. Could this have been approved by staff?

*Interim Community Development Director Akin:* We would have asked to deduct 20 sq ft, but still would need to come to planning commission for the garage exception.

*Commissioner Johnson:* What is the standard for 3 car?

*Acting Planning Manager Costa-Sanders:* Stall size is 10x20 for one car garage.

*Commissioner Johnson:* On the home?

*Acting Planning Manager Costa-Sanders:* Greater than 2800 sq ft residence requires a three car garage.

*Chair Biasotti* asked the applicant to address the Commission and introduce the project.

*Applicant:* Applicant introduced, Robert Wallace, owner. In San Bruno since 1976. Wants to add on to beautify home.

*Chair Biasotti:* Questions for applicant?

*Commissioner Johnson:* Have you read and understand reports?

*Applicant:* Thanks staff and agrees with everything. Question on 10, tree, is there a certain tree that needs to go into that location?

*Commissioner Marshall:* Call the parks and rec department and they will give you a list of qualified trees, or pay the \$540 and the city will plant a tree somewhere in the city.

Public Comment opened.

Public Comment closed.

*Chair Biasotti* opened up to Commission for discussion.

**Motion to approve Use Permit 06-042 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-15).**

**Commissioner Chase/Commissioner Petersen**

VOTE: 6-0

AYES: All Commissioners Present

NOES: None

ABSENT: Sammut

**Chair Biasotti advised of a 10-day appeal period.**

**FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and off-street parking requirements will be met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.
6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.

**CONDITIONS OF APPROVAL**

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-042 shall not be valid for any purpose. Use Permit 06-042 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on March 20, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

**Fire Department – (650) 616-7096**

7. Provide minimum 4" illuminated address numbers.
8. Provide hardwired smoke detectors with battery back up to all bedrooms and hallways/corridors.
9. Provide spark arrestor for chimney.

**Department of Public Works – (650) 616-7065**

10. At time building permit is issued, a tree planting fee will be required to be paid. The current fee amount is \$540.00. The fee in effect at the time the permit is issued shall be paid.
11. All damaged sidewalk at Valleywood Drive along the frontage of the property shall be removed and replaced. Damaged sidewalk is any location where there is any vertical offset of 1/2" or more. New sidewalk shall be constructed according to City standard detail. A separate encroachment permit will be required for any work in the City right-of-way.
12. Storm water from new and existing roof down-spouts shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1.
13. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
14. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
15. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.

**3. 617 – 4<sup>th</sup> Avenue**

**Request for a Use Permit to allow the construction of an addition which increases the gross floor area by 85% and exceeds the .55 floor area ratio guideline per Sections 12.200.030.B.1 and 12.200.030.B.2 of the San Bruno Zoning Ordinance. Jose Casco (Owner/Applicant) UP-05-014**

*Assistant Planner Assistant Planner Rozzi entered staff report.*

Staff recommends that the Planning Commission approve Use Permit 05-014 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-17).

*Chair Biasotti* asked Commission if there were any questions for staff.

*Commissioner Petersen:* Unusual requirement in condition 11.

*Assistant Planner Rozzi:* Condition by city engineer

*Commissioner Marshall:* Curb cut for driveway is 50% of lot?

*Assistant Planner Rozzi:* The city engineer has the ability to approve 2 car driveway.

*Interim Community Development Director Akin:* Should be corrected to ¾" for sidewalk replacement

*Commissioner Petersen:* Sidewalk attention, State Code 5600 which requires property owners to maintain their driveways and sidewalks. Different city, different codes.

*City Attorney Thompson:* There is no amount specified in the municipal code. The engineer wanted to have a standard that is consistent. Most of the time the differential is over ¾", so that is his recommendation.

*Chair Biasotti* asked the applicant to address the Commission and introduce the project.

*Applicant:* Applicant introduced, Jose Casco, owner. Adding a few extra square feet, master bedroom, needs additional storage. Hoping to have met the city requirements.

*Chair Biasotti:* Questions for applicant?

*Commissioner Johnson:* Have you read and agree with the conditions. Have you spoke with your neighbors.

*Applicant:* Yes and no haven't spoken to neighbors

*Commissioner Johnson:* Since there is nobody here, they are obviously in agreement

Public Comment opened.

Public Comment closed.

*Chair Biasotti* opened up to Commission for discussion.

**Motion to approve Use Permit 05-14 based on Findings of Fact 1-6 and subject to conditions 1-17, modifying Condition 11**

**Commissioner Johnson/Commissioner Chase**

VOTE: 6-0

AYES: All Commissioners Present

NOES: None

ABSENT: Sammut

**Chair Biasotti advised of a 10-day appeal period.**

## **FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.



2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and off-street parking requirements will be met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition has been well designed with appropriate finished materials.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.

#### **CONDITIONS OF APPROVAL**

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-014 shall not be valid for any purpose. Use Permit 05-014 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on March 20, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

**Department of Public Works – (650) 616-7065**

9. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010
10. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
11. Remove and replace all sidewalk at front of property for all locations where there are any raised or offset concrete sections greater than 3/4-inch. S.B.M.C. 8.12.010.
12. Storm water from new and existing roof down-spouts shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1.
13. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule. S.B.M.C. 8.24.060

**Fire Department – (650) 616-7096**

14. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
15. Provide spark arrestor for chimney, if present.
16. Provide hardwired smoke detectors with battery backup to all new bedrooms and hallways.
16. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

#### 4. **701 Shelter Creek**

**Request for a Use Permit to allow special events on a permanent basis per Sections 12.84.070.B and 12.112 of the San Bruno Zoning Ordinance. Gundula Sartor (Applicant); Shelter Creek Homeowners Association (Owner) UP-07-005**

*Assistant Planner Assistant Planner Rozzi* entered staff report.

Staff recommends that the Planning Commission approve Use Permit 07-005 based on the Findings of Fact (1-3), subject to Conditions of Approval (1-12).

*Chair Biasotti* asked Commission if there were any questions for staff.

*Commissioner Marshall:* only difference is they won't have to apply to the City for each event, but will be required to obtain an ABC permit for each event?

*Assistant Planner Rozzi:* the police gave their conditions, we will communicate to ABC that they, may approve a daily license.

*Commissioner Marshall:* what is going to stop a 16 unit building across the street from having these gatherings?

*Assistant Planner Rozzi:* the intent is to encourage social gatherings within a community. If another complex was interested they would have to go through the same application procedure.

*Commissioner Marshall:* Are we saying yes to everyone.

*Interim Community Development Director Akin:* Use permits are unique to the application. We wouldn't be setting a precedent, this is a unique property.

*Commissioner Johnson:* Does this require additional parking?

*Assistant Planner Rozzi:* one of the conditions is that all activities must use on site parking. The intent isn't for public but for the homeowners and residents who already have appointed parking.

*Commissioner Petersen:* the report does address parking impact, did you consider?

*Interim Community Development Director Akin:* since the events are for residents, they would have parking. The City Attorney Thompson recommends adding a condition that they can't sublet this area that may impose parking problems.

*Commissioner Petersen:* some attendance by non residents anticipated?

*Interim Community Development Director Akin:* didn't consider anything beyond what is normal activity for shelter creek.

*Commissioner Marshall:* is there a condition that says this is only for owners/residents.

*Interim Community Development Director Akin:* we can add it.

*Chair Biasotti* asked the applicant to address the Commission and introduce the project.

*Applicant:* Applicant introduced, Gundula Sartor, director of board of shelter creek, currently chair person of recreation committee. Want to do these functions without complications. They are 3 hour events to meet new and bring together current residents, usually 25 residents, who have restricted parking for their units. It is not a big party event.

*Commissioner Marshall:* you have no problem of condition for only residents.

*Applicant:* no

*Chase:* Yard sales, that creates more parking issues, in comparison to your events, correct?

*Applicant:* yes

*Commissioner Chase:* do you have to get permits for that?

*Applicant:* yes, the lots are sectioned out.

*Commissioner Chase:* for staff, this UP will not include anything like that, just mixers.

*Interim Community Development Director Akin:* no the permit is specific for these types of events.

*Chair Biasotti:* Questions for applicant?

Public Comment opened.

Public Comment closed.

*Chair Biasotti* opened up to Commission for discussion.

**Motion to approve Use Permit 07-005 based on the Findings of Fact (1-3), subject to Conditions of Approval (1-12) with addition of condition 13.**

**Commissioner Chase/Mishra**

VOTE: 6-0

AYES: All Commissioners Present

NOES: None

ABSENT: Sammut

**Chair Biasotti advised of a 10-day appeal period.**

### **FINDINGS OF FACT**

1. The proposed use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use because of the conditions of approval regulating noise, garbage removal and event hours as placed by the reviewing departments.
2. The proposed use will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city, as evidenced by the successful special events held in the recent past.
3. The proposed use will be consistent with the general plan.

### **CONDITIONS OF APPROVAL**

Community Development Department – (650) 616-7074

1. This permit shall be subject to emergency suspension by the Chief of Police, Chief of Fire or his/her designated representative, if he/she determines that the use does not conform to the required conditions and the continued use would constitute an immediate threat to public health and/or safety.

2. Hours of operation shall be limited to 5:00pm to 12:00am for evening special events and subject to revision only with approval of the Community Development Director.
3. On a yearly basis, the applicant shall file a Certificate of Insurance in the amount of \$1,000,000 which covers bodily harm and injury liability and property damage liability, naming the City of San Bruno as additionally insured.
4. All parking for this use shall be off-street and confined to legally designated parking spaces within the subject site and on the surrounding streets.
5. All special event activities shall be confined to the property at 701 Shelter Creek Lane.
6. There shall be at least one security guard onsite for the duration of each special event. All security personnel shall be designated so as to be easily recognizable by the participants and San Bruno Police.
7. Parking lot areas shall be left clear of all loose paper and debris from the special event. The final clean up shall be accomplished no later than 24 hours after the end of the event.
8. An Alcohol and Beverage Control (ABC) license shall be secured and available on site at the request of the Police or Fire Departments prior to start of each event.
9. Use Permit 07-005 approval shall be available on site during the event.

**Fire Department – (650) 616-7096**

10. Application requires annual special events permit issued by Fire Department.
11. No booths or tents at this location without the permission of the Fire Department and the issuance of any required Fire Code Permits.
12. No food will be cooked at this location without the permission of the Fire Department and San Mateo County Health Department.
13. Cannot sublet the clubhouse for use by outside organizations.

**5. 3520 Longview Drive**

**Request for a Use Permit to allow a large family day care operation in a single-family residential zone; per Section 12.84.200 & 12.96.060.C.6 of the San Bruno Zoning Ordinance. Mary Commissioner Petersen (Applicant); Joanne Funk (Owner) (UP-07-004)**

*Assistant Planner Russell* entered staff report.

Staff recommends that the Planning Commission approve Use Permit 07-004 based on Findings of Fact (1-4) and Conditions of Approval (1-13).

*Chair Biasotti* asked Commission if there were any questions for staff.

*Chair Biasotti* asked the applicant to address the Commission and introduce the project.

*Applicant:* Applicant introduced, Mary Petersen, want to accommodate parents that has currently.

*Chair Biasotti:* Questions for applicant?

*Commissioner Johnson:* don't expect more than 8, is that average daily attendance?

*Applicant:* average daily attendance, anticipate 10 currently have 8, including her own children.

*Commissioner Johnson:* you are not having more than that?

*Applicant:* that's correct.

*Commissioner Johnson:* in the hours of operations, no outside time in morning.

*Applicant:* do more preschool work, eating, and get outside around noon. When weather improves will be outside more.

*Commissioner Johnson:* ages of children?

*Applicant:* mostly 2 years old

*Commissioner Johnson:* have any tricycles on cemented area?

*Applicant:* usually have cars and scooters on deck.

*Commissioner Johnson:* toys with wheels are noisy on pavement

*Applicant:* most things are kept on the deck

*Commissioner Johnson:* will you use the garage at any time?

*Applicant:* no. It is off limits.

*Commissioner Johnson:* parents have to sign in and out. You have made that a requirement?

*Applicant:* yes

*Commissioner Johnson:* make notation to families that if they have a request to bring child out to car, deter from honking.

*Applicant:* agree

*Commissioner Johnson:* any activities that would increase loud noise from the kids?

*Applicant:* no

*Commissioner Johnson:* how long in operation?

*Applicant:* 3-1/2 years

*Commissioner Johnson:* any complaints from neighbors?

*Applicant:* no, have good relations.

*Commissioner Petersen:* people are sensitive to honking. Your application says that you expect to have 8-10 children and you have 14 maximum, do you want to amend this?

*Applicant:* yes, definitely to 11

*Interim Community Development Director Akin:* staff recommends having it up to 14, so in the future they don't have to come back to PC to expand.

*Commissioner Chase:* State licensing would allow up to 14, so this is a moot point.

*Interim Community Development Director Akin:* yes, consistent approval is appropriate

*Commissioner Johnson:* absolutely correct. We cannot mandate 8-10.

Public Comment opened.

Public Comment closed.

*Chair Biasotti* opened up to Commission for discussion.

**Motion to approve Use Permit 07-004 based on Findings of Fact (1-4) and Conditions of Approval (1-13).**

**Commissioner Johnson/Commissioner Chase**

VOTE: 6-0  
AYES: All Commissioners Present  
NOES: None  
ABSENT: Sammut

**Chair Biasotti advised of a 10-day appeal period.**

**FINDINGS FOR APPROVAL**

1. The use permit to operate a large family day care home is for the house located at 3520 Longview Drive, which is located in a residential district.
2. The use permit to operate a large family day care home at the house at 3520 Longview Drive will not result in undue negative impacts upon the neighborhood vicinity in terms of traffic, parking, and noise.
3. The operator of the facility will provide a two car driveway on the lot for parking or stopping of vehicles to allow children to be picked up or dropped off within thirty (30) minutes before and after the hours of the day when day care will be provided.
4. The existing home complies with applicable off-street parking standards of the zoning code since the subject property contains an attached two car garage
5. Based on a site inspection by the Fire Department staff, with the conditions of approval, the existing home complies with applicable building and fire code provisions.

**CONDITIONS FOR APPROVAL**

Community Development Department - (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-004 shall not be valid for any purpose.
2. Applicant must obtain a business license through the Finance Department.

3. The request for a use permit for a large family day care home at 3520 Longview Drive shall operate according to plans approved by the Planning Commission on March 20, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. Parents and guardians dropping off and picking up children from the home shall be directed to not honk their car horn.
5. Parents and guardians dropping off and picking up children from the home must park on the driveway when picking up and dropping off their children. In the event the driveway is not available, the parents shall use the parking area directly in front of the home.
6. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
7. Children shall be supervised at all times when outdoors to control noise levels. Violation of the Noise Ordinance could result in this application being called back up to the Planning Commission for revocation.
8. The applicant shall obtain a license from the State of California to operate a large family day care center.
9. The number of children shall be limited to a maximum of fourteen (14) at any one time, including any of the applicant's own children.
10. Applicant must park their personal vehicle(s) in the garage within thirty (30) minutes before and after daycare hours. If, in the future, non-resident employees are hired, they must park in the garage or receive approval for a revised parking configuration from the Community Development Director.

**Fire Department - (650) 616-7096**

12. Provide a manual pull station with a horn and strobe. Installation will require an electrical permit.
13. Approval pending final inspection by Fire Department

**Commissioner Chase recused, conflict of interest.**

**6. 446 Redwood Avenue**

**Request for a Use Permit to allow the construction of an addition which exceeds the Floor Area standard of .55 per Section 12.200.030.A.1 of the San Bruno Zoning Ordinance. Martijn and Michelle Blumenthal, (Applicant/Owner) - UP-07-12**

*Acting Planning Manager Costa Sanders* entered staff report, noting three additional conditions.



Staff recommends that the San Bruno Planning Commission approve Use Permit UP-07-12 subject to the attached Findings of Fact (1-6) and Conditions of Approval (1-13 with additional conditions 14-16).

*Chair Biasotti* asked Commission if there were any questions for staff.

*Commissioner Petersen:* how about sewer clean-out,

*Acting Planner Costa Sanders* – will add as condition 17.

*Commissioner Petersen:* P- condition 10, says ALL, others were 50%.

*Acting Planner Costa Sanders* -specific to roof downspouts on the other condition.

*Chair Biasotti* asked the applicant to address the Commission and introduce the project.

*Applicant:* Applicant introduced, Michele and Martijn Blumenthal, applied for UP almost 4 years ago, learned a lot, lot of structural to the first plans, the bids were more than this current project would cost, scrapped plan. Actually living area is going to be less than originally proposed.

*Chair Biasotti:* Questions for applicant?

*Applicant* -Home is below sidewalk level, and there is a drain on the east side drain to the back of the house, plans reflected drains to the existing. We do maintain with neighbors the existing drain. A site review was done by staff; they can note that we are below for drainage.

*Acting Planning Manager Costa Sanders* – Checked with engineer and these are preliminary plans, we can modify condition 10 that the plans be to the satisfaction of the city engineer.

Public Comment opened.

Public Comment closed.

*Chair Biasotti* opened up to Commission for discussion.

**Motion to approve Use Permit UP-07-12 subject to the attached Findings of Fact (1-6) and Conditions of Approval (1-13, with additional conditions 14-17 and modify condition 10)**

**Commissioner Petersen/Mishra**

VOTE:	5-0
AYES:	All Commissioners Present
NOES:	None
ABSTAIN:	Commissioner Chase
ABSENT:	Sammur

**Chair Biasotti advised of a 10-day appeal period.**

## **FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.

2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and the off-street parking requirements are met, thereby eliminating any negative impacts to on-street parking availability.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition will be an economic benefit to the surrounding area.
6. With the provision of a two-car garage the project will comply with the off-street parking standards of the City of San Bruno Zoning Ordinance.

## **CONDITIONS OF APPROVAL**

### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 07-012 shall not be valid for any purpose. Use Permit 07-012 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on March 20, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.

6. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

**Fire Department – (650) 616-7096**

7. Provide minimum 4" illuminated address numbers on the front of the building.
8. Provide hardwired smoke detectors with battery back up to all bedroom and hallway/corridors.
9. Provide spark arrestor on chimney if present.

**Department of Public Works – (650) 616-7065**

10. Note that the City does not own or maintain rear yard storm drain system. All collected storm drainage shall be discharged into curb at front of property to the satisfaction of the City Engineer.
11. Any work in public right of way including new sewer lateral or new drain through curb will require issuance of separate encroachment permit. All work in right of way shall comply with standard specifications and standard plans.
12. Any damaged sidewalk, curb, gutter, or driveway will be required to be repaired. Any crack or offset of 3/4" or more constitutes damage that will require repair.
13. At time that building permit is issued, applicant will need to pay tree planting fee of \$540.
14. Storm water from new and existing roof down-spouts shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1.
15. Install a sanitary sewer lateral clean-out at property line per City standards detail SS-01.
16. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
17. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.

**Chair Biasotti**

**G. Discussion**

1. City Staff Discussion
  - a. Rozzi, Chase, Sammut, and Akin going to league of commissioners conference; will report at next meeting.

b. Select April 12, 2007 Architectural Review Committee Members. – Biasotti, Marshall, Mishra

2. Planning Commission Discussion  
None

## **H. Adjournment**

Meeting was adjourned at 8:06 pm

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**Aaron Aknin**

Secretary to the Planning Commission  
City of San Bruno

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**Rick Biasotti, Chair**

Planning Commission  
City of San Bruno

**NEXT MEETING: April 17<sup>th</sup>, 2007**

AA/ch